

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 965 - HB 1319**

April 12, 2021

**SUMMARY OF ORIGINAL BILL:** Requires a judge to notify at the time of sentencing, if any conviction is eligible for expunction, the defendant's eligibility and the time period after which a petition to expunge may be filed.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (006721):** Deletes and replaces all language after the enacting act such that the only substantive changes are to: (1) establish that judges are required to provide such notification, if practicable, and (2) require the Administrative Office of the Courts (AOC) to provide judges handling criminal cases with a list of convictions eligible for expunction and their respective times.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 40-35-302(j), a judge shall, at the time of sentencing, notify a person convicted of a misdemeanor offense that is eligible for expunction of the person's eligibility to have all public records of the conviction destroyed and the time period after which the person can petition for expunction of the offense.
- Expanding this practice to any offense that is eligible for expunction will not have a significant impact to state or local government expenditure.
- The AOC can provide judges handling criminal cases with a list of convictions eligible for expunction and their respective times with existing resources and personnel.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/jw